

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **03 - 20233 CR - LENARD**

18 U.S.C. §911

18 U.S.C. §1015 (f)

18 U.S.C. §1001 MAGISTRATE JUDGE
SIMONTON

UNITED STATES OF AMERICA

v.

RAFAEL VELASQUEZ
_____ /

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about October 30, 1998, in Miami, Miami-Dade County, in the Southern District of Florida, the defendant,

RAFAEL VELASQUEZ,

an alien, did falsely and willfully represent himself to be a citizen of the United States, in that he claimed he was a United States citizen when changing his address with the office of the Supervisor of Elections for Miami-Dade County, in violation of Title 18, United States Code, Section 911.

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COUNT TWO

On or about October 30, 1998, in Miami, Miami-Dade County, in the Southern District of Florida, the defendant,

RAFAEL VELASQUEZ,

an alien, knowingly made a false statement and claim that he was a citizen of the United States, in order to vote in a Federal, State and local election, in that he falsely stated and claimed that he was a United States citizen when changing his address with the office of the Supervisor of Elections for Miami-Dade County, in violation of Title 18, United States Code, Section 1015(f).

COUNT THREE

On or about April 19, 2001, in Miami, Miami-Dade County, in the Southern District of Florida, the defendant,

RAFAEL VELASQUEZ,

in a matter within the jurisdiction of the Immigration and Naturalization Service (INS), an agency of the United States, did knowingly and willfully make a false, fraudulent and fictitious statement and representation as to a material fact, in that the defendant stated on his Application for Naturalization, INS Form N-400, that he had never registered to vote in the United States, when, in truth and in fact, and as the defendant then and there well knew, he had registered to vote in the United States; in violation of Title 18, United States Code, Section 1001.

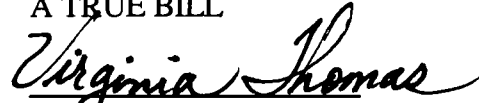
COUNT FOUR

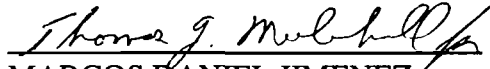
On or about April 19, 2001, in Miami, Miami-Dade County, in the Southern District of Florida, the defendant,

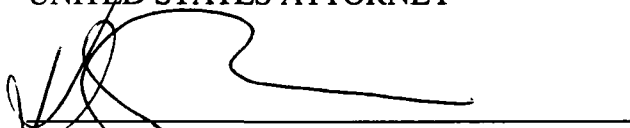
RAFAEL VELASQUEZ,

in a matter within the jurisdiction of the Immigration and Naturalization Service (INS), an agency of the United States, did knowingly and willfully make a false, fraudulent and fictitious statement and representation as to a material fact, in that the defendant stated on his Application for Naturalization, INS Form N-400, that he had never voted in the United States, when, in truth and in fact, and as the defendant then and there well knew, he had voted in the United States; in violation of Title 18, United States Code, Section 1001.

A TRUE BILL


FOREPERSON


MARCOS DANIEL JIMENEZ
UNITED STATES ATTORNEY


KAREN E. ROCHLIN
ASSISTANT UNITED STATES ATTORNEY

03 EAST 20233 CR-LENARD
MAGISTRATE JUDGE

CERTIFICATE OF TRIAL ATTORNEY*
Superseding Case Information:

New Defendant(s) Yes No
 Number of New Defendants
 Total number of counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No
List language and/or dialect _____

4. This case will take 2 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
- | | |
|------------------|------------------|
| (Check only one) | (Check only one) |
|------------------|------------------|

- | | | | | |
|-----|------------------|-------------------|---------|-------------------|
| I | 0 to 5 days | <u>2</u> | Petty | <u> </u> |
| II | 6 to 10 days | <u> </u> | Minor | <u> </u> |
| III | 11 to 20 days | <u> </u> | Misdem. | <u> </u> |
| IV | 21 to 60 days | <u> </u> | Felony | <u> X </u> |
| V | 61 days and over | <u> </u> | | |

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: _____
Judge: _____ Case No. _____
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes: Magistrate Case No. _____
 Related Miscellaneous numbers: _____
 Defendant(s) in federal custody as of _____
 Defendant(s) in state custody as of _____
 Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes ☒ No If yes, was it pending in the Central Region? Yes ☐ No

8. Did this case originate in the Narcotics Section, Miami? Yes X No

KAREN E. ROOHLIN
ASSISTANT UNITED STATES ATTORNEY
Court ID No. A5500050

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
03 - 20233 CR - LENARD
PENALTY SHEET

Defendant's Name: RAFAEL VELASQUEZ

MAGISTRATE JUDGE
SIMONTON

Case No:

Count #: I

False Representation as US Citizen

18 U.S.C. §911

* Max. Penalty: 3 years' imprisonment

Count #: II

False Statement Claiming US Citizenship

18 U.S.C. §1015(f)

*Max. Penalty: 5 years' imprisonment

Count #: III

False, Fraudulent & Fictitious Statement to INS

18 U.S.C. §1001

*Max. Penalty: 5 years' imprisonment

Count #: IV

False, Fraudulent & Fictitious Statement to INS

18 U.S.C. §1001

*Max. Penalty: 5 years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

No.

03-20233 CR-11 MAR 03

UNITED STATES DISTRICT COURT MAGISTRATE JUDGE
SIMONTON

-----Southern-----District of -----Florida-----

-----Criminal-----Division-----

THE UNITED STATES OF AMERICA

vs.

RAFAEL VELASQUEZ

INDICTMENT

In violation of:

18 U.S.C. §§ 911, 1015(f) and 1001

A true bill.

02-04 (MIA)

Vigoria Thomas
Foreman

Filed in open court this ----- day,

of ----- A.D. 2002 -----

Clerk

Bail, \$ -----

INDICTMENT NO. PC 02-04-02